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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/638,981	08/12/2003	Donald A. Ice	15436.73.1.1	6307
22913	7590	10/04/2005	EXAMINER	
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111			BUI, HUNG S	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

EK

<b>Office Action Summary</b>	<b>Application No.</b> 10/638,981	<b>Applicant(s)</b> ICE, DONALD A.	
	<b>Examiner</b> Hung S. Bui	<b>Art Unit</b> 2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 21-26 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Lehman et al. [US 6,198,633].

Regarding claim 21, Lehman et al. disclose a card guide (18, figures 1-2 and 4) for use in a electronic equipment enclosure, configured to receive one or ore functional modules (3u, 6u), each of which includes a corresponding card, the card guide having first and second sides and first and second ends (16, figure 1) and comprising:

-(a) first and second support structures ((34, 40), 36, 42), (38, 44)) that cooperate to at least partially defined a pair of channels configured to receive at least a portion or a card, one channel being located on either side of the card guide, the channels terminating short of the first end of the card guide so that a slot is defined that is interposed between the first and second support structure, and the first and second support structures cooperating to define a receptacle in communication with the slot so that in a first card storage configuration, a card received in the electronic equipment enclosure by way of the receptacle is positioned in the slot such that the card straddles the card guides (figures 1-2 and 4); and

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- (b) a connecting member (58, 60) at least indirectly joined to one of the first and second support structures.

Regarding claim 22, Lehman et al. disclose a second card storage configuration being defined when the receptacle is blocked, so the straddling of the card guide by a card received in the electronic equipment enclosure is substantially prevented (figure 1).

Regarding claim 23, Lehman et al. disclose in at least the second card storage configuration, the first and second support structures are collectively configured to receive, in each of the channels, respective portions of first and second cards positioned in the electronic equipment enclosure in a side by side arrangement (figure 1).

Regarding claim 24, Lehman et al. disclose a third support structure, the first, second and third supports structures cooperating to at least partially define two card storage levels (figure 1).

Regarding claim 25, Lehman et al. disclose at least one of the support structures comprising a web structure (figures 1-2).

Regarding claim 26, Lehman et al. disclose a positioning member at least indirectly attached to one of the support structures (R, Q, figures 1-2 and 5a).

Regarding claim 29, Lehman et al. disclose the card guide being configured for use in both vertical and horizontal card cages (figures 1-2).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20, 28, 30-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lehman et al. [US 6,198,633] in view of Brooks et al. [US 6,661,673].

Regarding claim 1, 10, 15, 20 and 30, Lehman et al. disclose a card cage system (figures 1, 2, 5a and 5b) for an electronic equipment enclosure, that card cage system suitable for use with one or more functional modules (3u, 6u) that each include a corresponding card joined to a front panel that includes fasteners, and the card cage system comprising:

(a) first and second end card guides disposed within the electronic equipment enclosure (43, 36, 38, 40, 42, 44, figure 1);

(b) a middle card guide (18, figures 5a and 1) interposed between the first and second end card guides in a spaced apart arrangement and cooperating with the first and second end card guides to define at least one card storage level; and

(c) first and second adapter elements (figure 5a) joined to the first and second end card guides, respectively and a third adapter element joined to the middle card guide, the adapter element cooperating with the card guides so that a first card storage configuration is defined when the adapter elements are joined to the corresponding card

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guides, and a second card storage configuration being defined when adapter elements are present in only two of the card guides (figure 1).

Lehman et al. disclose the instant claimed invention except for the first, second and third adapter elements joined to the third guide being removable.

Brooks et al. disclose a card cage system (figures 1-2) having a plurality of card guides, wherein each of the card guides is joined with a removable adapter element (204, column 3, line 38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the removable adapter with the card system of Lehman et al., as suggested by Brooks et al., for the purpose of securing/replacing the card insertion into the card system.

Regarding claims 2 and 31, Lehman et al. disclose the second card storage configuration being defined when adapter elements are present only in the first and second end card guides (figure 1).

Regarding claims 3 and 32, Lehman et al. disclose the first and second card guides and the middle card guide operate to define two card storage levels (figure 1).

Regarding claims 4, 16, 19 and 33, Lehman et al. disclose the first card storage configuration, the middle card guide and end card guides are collectively configured to receive at the at least one card storage level, only cards with dimensions conforming to a first card size (3u), and wherein the second card storage configuration, the middle card and end card guides are collectively configured to receive, at the at least one card storage level, only cards with dimensions conforming to a second card size (6u).

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Regarding claims 5, 17-18, 34 and 36, Lehman et al. disclose the first card storage configuration, the middle card guide and end card guides are collectively configured to receive at the at least one card storage level, only single wide cards (3u).

Regarding claims 6, 35 and 37, Lehman et al. the second card storage configuration, the middle card guide and end card guides are collectively configured to receive at the at least one card storage level, only cards wider than single-wide cards (6u).

Regarding claim 7, Lehman et al. disclose the first and second end cards guides and the middle card guides are substantially identical (figures 2 and 5a).

Regarding claims 8 and 40, Lehman et al. disclose the first card storage configuration, the middle card guide and end card guides are collectively configured to receive, at the at least one card storage level, at least one double larger card (3u and 6u, figure 1).

Regarding claim 9, Lehman et al. disclose the first and second adapter elements are integral with the first and second end card guides, respectively (figures 1-2, 5a).

Regarding claim 11, Lehman et al. disclose the card guides each defining at least one channel configured to receive a portion of an edge of a functional module card (figures 1-2).

Regarding claim 12, Lehman et al. disclose the adapter element each define at least one channel configured to receive a portion of an edge of a functional module (figure 1).

Regarding claim 13, Lehman et al. disclose the adapter element are configured to engage at least one fastener (figure 8) of one the functional module.

Regarding claims 14 and 39, Lehman et al. in view of Brooks et al. disclose means (figure 2) for substantially preventing relative motion of the adapter elements when the adapter elements are fastened to the card guides.

Regarding claim 28, Lehman et al. disclose the receptacle being configured to joint an adapter element (figure2), selective use of the adapter element facilitating definition of the first and second card storage configurations.

Lehman et al. disclose the instant claimed invention except for the adapter being removable.

Brooks et al. disclose a card cage system (figures 1-2) having a plurality of card guides, wherein each of the card guides is joined with a removable adapter element (204, column 3, line 38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the removable adapter with the card system of Lehman et al., as suggested by Brooks et al., for the purpose of securing/replacing the card insertion into the card system.

Regarding claim 38, Lehman et al. disclose the card cage comprising one of a vertical card cage and a horizontal card cage (figures 1-2).

Regarding claim 41, Lehman et al. in view of Brooks et al. disclose the card cage achieved without disassembling the chassis by removable the card guide (figure 2, column 4, lines 46-63).



It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a removable integral with the card guide of Lehman et al., as suggested by Brooks et al., in order to replace various kind of the card guides in the card cage enclosure.

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Navia et al. [US 5,175,669].

Regarding claim 27, Lehman et al. disclose the instant claimed invention except for the card guide being formed of injection molded plastic.

Navia et al. disclose a card guide system having a card guide support being formed of plastic (column 2, lines 16-19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use guide support of Lehman et al. being formed molded plastic, as suggested by Navia et al., for the purpose of providing flexibility the guide support.

### ***Response to Arguments***

6. Applicant's arguments, see the response to remarks, filed 07/15/2005, with respect to the rejection(s) of claim(s) 1-41 under double patenting rejections have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lehman et al. [US 6,198,633] and Brooks et al. [US 6,661,673].

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**Conclusion**


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pusateri et al. [US 6,008,995] disclose a card cage accommodating PC cards of different size.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung S. Bui whose telephone number is (571) 272-2102. The examiner can normally be reached on Monday-Friday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamand Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/27/05  
**Hung Bui**  
**Art Unit 2841**

  
**KAMAND CUNEO**  
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